

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – A.P. Medical & Health Services – Allegation of Corruption / Irregularities in purchase of medicines by Dr.M Chandra Mouleswara Reddy (Retd.), District Medical & Health Officer, Rampachodavaram –East Godavari District – Disciplinary action initiated –Enquiry Officer appointed –Penalty of 10% cut in pension for a period of 5 years – Imposed –Orders -Issued

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HEALTH MEDICAL & FAMILY WELFARE (VC-1) DEPARTMENT

G.O.MS.No. 179

Dated: -08-2009

Read the following:-

1. Government Memo. No.19667/B1/99, Health Medical & Family Welfare Department, dt. 23-10-1999
2. Government Memo. No. 19667/B1/99-8, Health Medical & Family Welfare Department, dt. 15-10-2001
3. From Director of Health, Hyderabad Lr. No. 15448/E2.G/2000, dt. 21-02-2002.
4. Orders of A.P.Administrative Tribunal, dt. 24-07-2007 in O.A.No.1078/2007 filed by Dr. T.S.N.Murthy.
5. Judgment of High Court dt. 27-03-2008 in W.P. 20180/2007 filed by Government.
6. Government Memo. No. 19667VC1(1)/99, Health Medical & Family Welfare Department, dt. 10-10-2008
7. Explanation from Dr. M.Chandra Mouleswara Reddy, DM & HO (Retd.), dt. 19-03-2009.
8. From Secretary, A.P.Public Service Commission Lr. No. 588/RT-I/1/2009, dt. 26-05-2009

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ORDER:-

Disciplinary action was initiated against Dr. Krishna Bhramam, Additional District Medical & Health Officer, Dr. M Chandra Mouleswara Reddy, District Medical & Health Officer, Dr. T.S.N. Murthy, Additional District Medical & Health Officer and Sri Y.V.S.N. Narsing Rao, Senior Assistant of Rampachodavaram, East Godavari District on the allegation of committing irregularities and mis-utilisation of purchase of medicines during the year 1999-2000 etc., by issuing charge memos in the reference 1st read above. The Additional Director, Office of the Director of Health was appointed as an Enquiry Officer. He has submitted his enquiry report. It was examined and dropped further action against Dr. Krishna Bhramam and decided to conduct further enquiry. The Regional Director, Medical & Health (Services), Rajahmundry was accordingly, appointed as an Enquiry Officer in the reference 2nd read above . Further, the entire case was also entrusted to ACB as it is a Investigating Agency for conducting detailed investigation and to report and accordingly they have registered a case in Cr.No.3/RCO-RJY/2002 on 24-01-2002 Under Section.13(2), read with 13(1) (d) and (c) of Prevention of Corruption Act, 1988 and took up the investigation. In the mean time, the Enquiry Officer / Regional Director has submitted his departmental enquiry report through reference 3rd read above. Since the investigation report from the Director General, Anti Corruption Bureau was awaited, no action was taken on the said Enquiry Officer's report. Subsequently, the Anti Corruption Bureau has submitted its final report, and based on the findings thereon, the Director General, Anti Corruption Bureau was permitted in Memo. No. 19667/VC.1(1)/99, dt: 04-07-2006 to prosecute Dr. T.Satyanaryana Murthy, Dr. M.Chandra Mouleswara Reddy since they retired from service and orders were also issued in G.O.Ms.No.300, Health Medical & Family Welfare (VC-1) Department, dt. 29-07-2006 for prosecution of Sri Y.V.S.N. Narsing Rao, Senior Assistant in a Court of Law, and the case is in pending in a Special Court. Thus the Criminal Proceedings are in pending against the above referred Delinquent Officers.

(PTO)

2. Dr. T.Satyanarayana Murthy, has filed O.A.No.1078/2007 before the Hon'ble A.P.Administrative Tribunal which is disposed of on 24-07-2007 by setting aside the charge Memo. No.19667/B1/99, dt. 23-10-1999 with a direction to release the pension and other pensionary benefits to the applicant .

3. Government then filed W.P. No. 20180/2007 challenging the above orders of A.P.Administrative Tribunal dt. 24-07-2007 in O.A.NO.1078/2007. The High Court by its Judgment dt. 27-03-2008 has disposed of the said W.P. with a direction to pass final orders independently in the above enquiry report with out reference to the criminal proceedings.

4. Government, keeping in view of the above High Court Judgment dt. 27-03-2008 and having examined the report of Departmental Enquiry Officer and after following due procedure have awarded punishment of 50% cut in pension besides withholding of entire gratuity to Dr. T.S.N. Murthy, Additional District Medical & Health Officer (Retd.) in G.O.Ms.No. 226, Health Medical & Family Welfare (VC-1) Department, dt. 28-06-2008.

5. The Hon'be High Court in its Judgment dt. 27-03-2008 in W.P.No. 20180 of 2007 filed by Government has give direction to pass final orders on the enquiry officer's report without reference to the criminal proceedings. In pursuance of this judgment, and based on the departmental enquiry officer's report, orders are issued in G.O.Ms.No. 226, Health Medical & Family Welfare (VC-1) Department, dt. 28-06-2008, imposing punishment to Dr. T.S.N. Murthy, one of the Delinquent Officer's among two others. Hence it has been considered and decided to conclude the disciplinary case against other two Delinquent Officers, viz. Dr. M.Chandra Mouleswara Reddy, District Medical & Health Officer (Retd.) and Sri Y.V.S.N. Narsing Rao, Senior Assistant also without reference to the criminal proceedings pending against them.

6. The Regional Director / Enquiry Officer (departmental enquiry) in his enquiry report has held that the charges framed against Dr.M.Chandra Mouleswara Reddy, District Medical & Health Officer (Retd.) has not been proved. It has been examined and observed that Dr. Chandra Mouleswara Reddy while holding additional charge for the post of Additional District Medical & Health Officer, Rampachodavaram from 05-05-1999 to 26-05-1999 passed the bills for payment for purchase of Drugs and Surgical items for an amount of Rs.4,46,125/- to Non-RC Firms and thereby with malafied intension he paid excess amount of Rs.1,00,312/- and caused illegal gain to Private parties and loss to Government. Hence, it has been decided to deviate with the findings of the Enquiry Officer and to impose penalty of 50% cut in pension permanently on Dr.M.Chandra Mouleswara Reddy, District Medical & Health Officer (Retd.), formerly at Rampachodavaram, East Godavari District. Accordingly a show cause notice was issued to him in the reference 6th read above calling for his explanation on the above proposed penalty to be imposed on him and in reply he has submitted his explanation in the reference 7th read above.

7. Government having examined the explanation submitted Dr. M.Chandra Mouleswara Reddy, District Medical & Health Officer (Retd.) keeping in view of the enquiry officer's report (departmental enquiry) and after due consultation with A.P.Public Service Commission reference 8th read above have decided to impose penalty of 10% cut in pension for a period of 5 years on the said delinquent officer.

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8. Government, accordingly hereby imposes the penalty of 10% cut in pension for a period of 5 years on Dr. M.Chandra Mouleswara Reddy, District Medical & Health Officer (Retd.) formerly at Rampachodavaram, E.G. District.

9. The Director of Health, Hyderabad shall take further necessary action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**Dr.VIJAY KUMAR
EX-OFFICIO SECRETARY TO GOVERNMENT**

To

Dr.M.Chandra Mouleswara Reddy, District Medical & Health Officer (Retd.), formerly at Office of the Additional District Medical & Health Officer, Rampachodavaram, East Godavari District through the Director of Health, Hydeabad

The Director of Health, Hyderabad.

Copy to

The Director General, Anti Corruption Bureau, Hyderabad

The Secretary to Vigilance Commission, A.P.Vigilance Commission, Hyderabad

The Secretary, A.P.Public Service Commission, Hyderabad

The Accountant General, A.P., Hyderabad

SF/SC.

//FORWARDED::BY ORDER//

SECTION OFFICER